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MONDALE PROPOSES 10-STEP EFFORT TO MAKE CIA MORE ACCOUNTABLE

GRANVILLE, Ohio, Oct. 3--Senator Walter F. Mondale (D-Minn.), a member of the Senate Select Committee on Intelligence, today offered a comprehensive and detailed blue-print to overhaul the U.S. intelligence community.

In remarks prepared for delivery at Denison College here, the Minnesota Senator said that the main objective is to "ensure that our intelligence agencies are under certain control, accountable and acting within the law." Here are the 10 steps he proposed for making them more accountable:

1. Remove clandestine add covert operations from the Central Intelligence Agency.
2. Put covert operations under the control of a "politically responsible official of the Executive Branch, such as the Secretary of State," and create a Cabinet-level body, chaired by the Secretary to sign off on all clandestine activities abroad.
3. Make American ambassadors fully responsible for all intelligence operations going on in those countries where they serve.
4. Make budgets for clandestine activities come out of State and Defense Department budgets, in order to ensure that intelligence operations are truly essential to defense and diplomacy.
5. Reduce the size of overseas clandestine services, transferring the slots to the Foreign Service so it can do a better job of political and economic reporting on an open basis.
6. Strengthen the role of the Director of Central Intelligence, giving him basic managerial responsibility over the intelligence community's budget.
7. Charge the Director with keeping Congress informed of intelligence developments as they unfold.
8. Restore some version of the Board of National Estimates to make "some wise and sober judgments on the significance of our intelligence information."
9. Spell out clearly rules for the intelligence community by passing stiff laws that will attach tough criminal penalties to violations of their charter or of other laws of the United States -- making it clear that all other activities are forbidden unless explicitly authorized by Congress.
10. Establish an effective Congressional oversight mechanism -- a joint Committee or separate Committees of both houses of Congress -- to watch over the intelligence community. Membership would rotate so that the Committee "does not become captive to the intelligence community."

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THE AMERICAN INTELLIGENCE COMMUNITY AND  
THE FUTURE OF U.S. FOREIGN POLICY

Delivered by Senator Walter F. Mondale  
 at Dennison College October 3, 1975

3:30 pm

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NOTE: THIS SPEECH  
 WAS WRITTEN BY  
 DAVID AARON OF SC STAFF  
 AND COORDINATED TO  
 SOME DEGREE WITH  
 THE STAFF.

I would like to discuss with you this afternoon a crucial aspect of foreign policy which for too long has been sealed-off from the normal give-and-take of a democratic society--the overseas foreign intelligence operations and activities of the United States.

I want to say at the outset that I am a firm believer in the need for a Central Intelligence Agency. In today's world it clearly is necessary for us to collect intelligence abroad, to analyze it carefully, and to make it available to our senior policy makers. I am prepared to concede also that there may be a role for covert action from time to time -- when our most vital interests are jeopardized and no other means will do.

However, having said this, it is clear that some very serious problems have arisen in the functioning of the United States intelligence community. The Senate Select Committee on Intelligence, of which I am a member, has been examining both the strengths and weaknesses of American's intelligence apparatus. If I dwell today on the problems, I do so to provide a basis for discussing some of the reforms that I believe are needed. It is not simply to suggest that enormously valuable work has not been done by our intelligence agencies through the selfless dedication of thousands of Americans.

First the problems. Over the last thirty years, American clandestine intelligence activities have often amounted to a secret foreign policy -- usually supporting our public policy, but sometimes running contrary to what the American people were told its government was trying to do in the world. The CIA was the basic instrument of this secret foreign policy, and in many places in the world its operatives became a secret American diplomatic service. Its operatives had intimate and independent contact with important foreign leaders and a stature often rivaling, and sometimes exceeding, that of our Ambassadors.

Periodically our foreign intelligence operations went beyond covert diplomacy. They became an instrument of secret warfare -- in Guatemala, Indonesia, Indochina, Cuba, the Congo and Laos. Straying from its intended purpose of supplying our leaders with the best possible intelligence on which to make foreign policy decisions, the CIA became an instrument and an actor in that process.

Your previous speaker, Secretary Rusk, has been quoted as saying that "the process of government is a struggle for power among those holding public office." The CIA, through its operational activities became a participant in that struggle, occasionally to the detriment of its essential function of supplying sound intelligence.

For example, intelligence on the prospects for such operations as the Bay of Pigs and so-called "pacification" in Vietnam was tragically wrong -- in part because of CIA deep involvement in these operations.

The resort to clandestine instruments of manipulation, coercion, and interference in the affairs of other countries may have been essential to our security at one time. But over the years, it became increasingly marginal. Today we find it has damaged our credibility, tarnished our prestige and undermined our power in the world.

The United States is now blamed for nearly everything -- from the murder of King Faisal to supposedly bankrolling rich European Socialist parties in their efforts to help the Portuguese. We bear

Page 2

The American Intelligence Community And  
The Future of U.S. Foreign Policy

October 3, 1975

CPYRGHT

a serious burden for the past activities of the CIA. Democratic and progressive leaders in the world often shy away from supporting the United States for fear of being smeared with charges of association with the CIA.

Equally important, CIA support for the most odious dictatorships and "destabilizing" efforts aimed at democratic governments have undermined popular American support for our involvement in foreign affairs. If that is what is meant by shouldering world responsibilities, many Americans would rather not.

There have also been problems in effectively managing our multi-billion-dollar intelligence bureaucracy so as to avoid waste and ensure objective intelligence. Decisions on what information to collect are often the result of the bureaucratic priorities of the many collecting agencies -- and often not made on the basis of national requirements. The great bulk of our intelligence budget is spent on collection, a much smaller amount is spent on information processing, and a relatively infinitesimal, and inadequate, amount is spent on the crucial task of analyzing the information so we know what it means. Finally, there are serious problems in ensuring that the intelligence agencies have sufficient independence and integrity to tell the whole truth no matter how unpleasant this may be for our political leaders.

But the most important problem is that the concept and the techniques of our intelligence activities abroad have been turned against the American people at home. As the late Stewart Alsop observed in connection with Watergate: "to transfer such secret service techniques on an obviously planned and organized basis to the internal American political process is a genuinely terrifying innovation."

Yet we now know that there was even more than Watergate -- there was also Operation Chaos, COINTELPRO, mail openings, illegal break ins, wiretaps, buggings, anonymous slander, phoney front organizations, agent provocateurs, strong-arm stuff and maybe worse.

The use of these covert action and counterintelligence techniques on American citizens had their roots in the real concerns felt by the American people in the Second World War and in the depths of the ensuing Cold War. But it was in the late 1960's when this activity really blossomed.

CPYRGHT

Two Presidents, one a Democrat and one a Republican, treated as disloyal those Americans who protested the foreign policy and the war the government was then pursuing. The apparatus of government intelligence was focused inward in an effort to shift blame away from the failures of our foreign policy and onto some of its citizens.

And the practice spread. Black activists and civil rights groups came under surveillance; labor leaders and Congressmen were monitored and files were kept on them. Even Richard Nixon had his mail opened. In fact nobody was safe.

Repeatedly, the White House badgered the intelligence agencies of the government to find connections between foreign agents and war protesters and other political activists. Repeatedly, they failed to find significant evidence that opposition to the war, the drive for civil rights or that unrest in the cities was due to foreign manipulation. Nonetheless, the White House continued to press for intelligence to fit its fantasies.

The result, however, was an attempt to chill political dissent in this country and to stifle the constitutional right to the free expression of views essential for our democracy to survive.

This use of intelligence techniques to thwart the democratic process has profound implications for our future foreign policy. First, it affects the realism and wisdom of our foreign policy. If we permit Presidents to continue to chill domestic dissent over foreign policy by resort to the tools of counterintelligence -- to treat American citizens exercising their rights as though they were foreign agents -- then we can tragically delay the process of facing up to world realities.

Second, the degree of public support for foreign policy is seriously affected. The American people cannot be expected to show much enthusiasm for full participation in world affairs if those who differ over policy are to be treated as traitors. It gives foreign policy a bad name. Americans are going to be reluctant to support an activist foreign policy unless they have confidence that some of the secret instruments of foreign policy are under effective control and will not be turned against them.

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In dealing with these problems, the basic task of the Select Committee is to restore the confidence of the American people in the United States intelligence community. The intelligence community cannot do this for itself.

No amount of internal reform and Executive orders can substitute for a new Congressional charter for these agencies, backed up by vigorous Congressional oversight. We must ensure that our intelligence agencies are under certain control, accountable, and acting within the law. They must not be allowed, in the name of foreign policy or national security, to abridge the Constitution and the Bill of Rights.

To this end, the Select Committee on Intelligence Activities has undertaken the first in-depth examination of the CIA since its founding almost thirty years ago. We have been meeting for almost nine months. Five months remain before our mandate expires on the first of March next year. Already the files and records of the Committee are larger than any single investigation previously conducted by the Senate. The number of pages of testimony on the subject of assassination alone is approaching that of the Watergate proceedings. We have a Committee staff of over one hundred.

The main issue that is emerging is that of accountability.

There is a disturbing pattern of secret agencies unaccountable to the President. There is an even more frightening pattern of Presidents using these agencies to evade accountability to the law, to the Congress, to the Constitution and the American people.

This lack of accountability threatens the very basis of our democratic system. During the House Judiciary committee proceedings considering the possible impeachment of President Nixon, Representative James Mann put the problem starkly. "Americans revere their President, and rightly they should. We would strive to strengthen and protect the Presidency. But if there be no accountability, another President will feel free to do as he chooses. The next time there may be no watchman in the night."

Reestablishing this bond of Presidential accountability to the people must be the Select Committee's ultimate task.

And if we can achieve this, I believe we will also be making major progress involving more technical questions such as whether our intelligence effort has the right priorities and whether the intelligence produced is objective, effective, and worth the money spent on it.

The question of accountability is central. We make an enormous concession in our democratic society to let government agencies operate in secret. Now, I accept that secrecy is sometimes necessary, particularly in the field of intelligence. But we cannot tolerate both secrecy and lack of accountability and expect to survive as a democratic nation.

Pinning down responsibility for many of the actions the Committee has uncovered has been like nailing jello to a wall. Subordinates say they were told to do it; higher officials can't remember it. Over and over we find that something happened but nobody did it.

Who is accountable in such cases? Who is out of control? The agency? The White House? The President?

Let me give a few examples. In the case of assassination, former Director of the CIA, Richard Helms, and Richard Bissell, former Deputy Director for Operation, both, have claimed that they had "higher-level" authorization for the attempts on Castro, for developing capabilities against Lumumba, and for setting up and running an institutionalized assassination capability within the CIA called "executive action."

CPYRGHT

But when we pressed them, neither Helms nor Bissell would say that any President, or anyone representing a President, ever gave specific orders to undertake an assassination or develop assassination plans and capabilities.

We've been through all the available records, and they are a mess. Of course, one wouldn't assume that normal business files would be kept on this sort of activity.

But more important, the record system is designed to leave a mess. The basic principle of intelligence operations is deniability -- to insulate the President from responsibility -- to make it appear that this government isn't doing what it is doing -- to make sure the buck doesn't stop with the responsible officials in our government. Deniability is the enemy of accountability.

As a result, it is possible to conclude that the agencies are often off on their own like a "rogue elephant." But there is a suspicion possibly unjustified that the rope was slipped off the elephant by the Chief of the Park Service himself.

The truth is that the system is designed so that it is too often impossible to ascertain the truth. The truth is that the system is unacceptable.

We have found examples in which Presidents have used our intelligence agencies to secretly exceed their authority under the law and the Constitution.

We have found cases in which the agencies have, apparently on their own, exceeded or violated Presidential orders. The case of the CIA's failure to destroy its biological weapons -- the shellfish toxin -- is a small, but illustrative, example.

We have found that the agencies have sought Presidential authorization of illegal actions in which they were already engaged -- the Huston Plan is a case in point.

It seems that the possibilities are endless. And as far as I can tell, they all happened.

What can be done about the problem of accountability? What can be done to meet the problems I have outlined? My answers are still tentative and are certainly subject to revision as we go further in our investigation. But I wanted to spell out some ideas in order to begin the dialogue on the kind of fundamental changes that I believe are required.

I would suggest consideration of the following steps:

1. First, I would suggest taking the clandestine services, the spys, the covert operators, the whole "dirty tricks" department -- out of the CIA. This is the only way to get effective control over these activities.

CPYRGHT

There have been many suggestions to take such covert action -- the overthrowing of foreign governments, all that sort of thing -- out of the CIA, but to leave the covert collection, or espionage job, in the Agency. We have been taking a close look at that, and it's frankly impractical. You really can't draw a line between espionage and covert action.

People who will give you information and betray their country in that manner will also do odd jobs for you later on, if you want some covert activity. Moreover, the whole apparatus of secrecy -- safe houses, secret writing, clandestine contacts -- is the same in both cases.

We would be fooling ourselves if we tried to exert control over covert action and ignored the fact that the same kinds of things are done under different labels, such as intelligence, or even more, counterintelligence.

2. This whole covert side of our intelligence operations should be made accountable to a politically responsible official of the Executive branch, such as the Secretary of State. We should abolish these phantom groups -- the most recent of which is the 40 Committee -- that are supposed to exercise control but which, in reality, serve to insulate the most senior officials and the President from accountability. A new Cabinet-level body, chaired by the Secretary of State, should sign off on all our clandestine activities abroad, including intelligence and counterintelligence, which at present receive no systematic high-level review. Accountability would replace deniability -- which was a naive and unworkable concept anyway -- and seasoned and sober judgments would hopefully replace reckless and impractical ones.

3. In the field, we have to make the American Ambassador fully responsible for all the intelligence operations that are going on in his country. Otherwise, we can exert all the control we like in Washington, but we will have no assurance that in fact control is being monitored in the field.

Some might argue that there are certain Ambassadors who can't be trusted with this kind of information. Well, my view is that maybe this will lead to a better class of Ambassadors and end the practice of using our overseas posts for political payoffs.

4. I believe we must make the budget for these clandestine activities come out of the State Department and the Defense Department budgets and be subject to strict impersonal authorization. That way, we can help assure that secret intelligence operations are truly essential to our defense or our diplomacy.

5. I believe we should consider reducing our overseas complement of the clandestine service substantially over the next several years. I believe these slots should be transferred to the Foreign Service so it can do a better job of political and economic reporting on an open basis. All agencies agree that the primary and most valuable source of intelligence, apart from our technical systems, comes from the Foreign Service. Yet they are badly hamstrung by lack of personnel training and operating funds. I believe a special account for these purposes must be added to the State Department budget.



CPYRGHT

6. This doesn't mean that we should abolish the Director of Central Intelligence. Quite the contrary. His role should be strengthened. He should continue his responsibilities as the central point of analysis for all intelligence information and have greater authority to manage the technical collection programs. In addition, he should be given basic managerial responsibilities over the budget of the intelligence community.

Only in that way can our requirements for intelligence really be linked-up with the way we spend our money. As it stands now, there is a tendency for each agency to get its share of the pie and go off on its own, doing what it knows how to do best, regardless of what the requirements are of the government as a whole. This, in fact, was the original role for establishing a Director of Central Intelligence to serve as a central point for analyzing information and for coordination and management.

7. I believe the Director of Central Intelligence also should be given an explicit charge to keep the Congress informed of intelligence developments as they unfold. For the Congress to play its rightful role in the shaping of national policy, it must have as good information as the Executive.

8. To reestablish the integrity of our national intelligence estimates, I believe we must restore some version of the Board of National Estimates. This board was abolished by Richard Nixon when he didn't like the news that he was getting from the intelligence community. It was a board of eminent and highly qualified intelligence analysts, diplomats and statesmen, who tried to come to some wise and sober judgments on the significance of our intelligence information.

Nothing is more important than having objective intelligence. But objective intelligence requires objective people, unfettered by fears for their careers and not susceptible to White House or parochial agency pressure. We need to reestablish a board that can perform that function.

9. The intelligence agencies should have their rules clearly spelled out in law. We need to pass stiff laws that will attach tough criminal penalties to violations of their charters or of other laws of the United States. We have to make it as clear as we possibly can what activities are permitted by these agencies. We must make it equally clear that all other activities are forbidden unless explicitly authorized by Congress. We can't put ourselves in the position of trying to imagine and rule out all possible activities that could conflict with our principles and our Constitution. If additional authority is needed, they can come to the Congress for it.

10. Finally, we must establish an effective Congressional oversight mechanism. I believe it is fair to say that if we had done a better job of oversight, we might have come to grips with these problems a great deal earlier. This oversight body, whether it be a joint Committee or separate Committees of the two Houses of Congress, should be composed of representatives from the other Committees responsible for these matters -- Armed Services, Foreign Relations, Appropriations -- as well as several members drawn at large from the two Houses. Membership of the Committee should rotate so that the Committee does not become captive to the intelligence community. A critical aspect of this oversight is that this Congressional Committee be allowed access to all relevant information. The unwillingness to trust a duly-constituted Congressional body with information relating to the intelligence of the United States betrays the same lack of trust of the democratic process that led to the abuse of the agencies by turning them against American citizens.



I believe there is no more fateful set of decisions to be made by the Congress in the field of foreign affairs than those that will be addressed by the Select Committee and ultimately by the Congress. No more important step towards reestablishing America's credibility and America's respect, and therefore America's power, can be taken than to bring our overseas intelligence operations under effective control and accountability.

Moreover, it is essential for the continuation of democratic support for our involvement in foreign affairs. Only through the most careful safeguarding of our liberties will the American people again feel that their government deserves the trust so essential for the conduct of an effective foreign policy.

I am convinced that we can rebuild this trust only by ensuring that no one individual can abuse it. As James Reston has noted, "we have a system that was shrewdly designed to be strong enough for leadership, but in which power was diffuse enough to assure liberty." Through the reforms I have suggested, and others that may also be needed, I hope we could help assure both continued leadership and continued liberty.

But beyond these measures of institutional reform lie the ultimate questions of what kind of President, what kind of foreign policy we are to have. Regardless of institutional arrangements, it is very hard for the members of the intelligence community -- or anyone else in the federal bureaucracy -- to say "no" to the President. And it is almost impossible if the President invokes the imperatives of foreign policy and national security.

So it comes back to our basic approach to foreign policy. Will it be dominated by fear and suspicion? Will it be characterized by outsized ambition and an American solution to every problem? Will it be warped by the illusion that while we jealously control our own history, the history of others can be manipulated by a few dollars, a few guns or a few lies?

Or will we approach the world with a more open mind and a more generous spirit? Will our leaders learn to live with democratic dissent at home and to accept diversity in our dealings abroad? Will we once again be the foremost example of liberty in the world?

I hope so. I believe it would restore a new measure of proportion and restraint to our future foreign policy.

Without this restraint, the entire structure and uniqueness of our democracy may be endangered.

With it, we will enter our third century of democracy better equipped to meet the challenges to domestic liberty that international tensions inevitably produce.

What is at stake is nothing less than our continued success of our democracy. As John Gardner has observed:

"When our nation was founded, there was a holy Roman Emperor, Venice was a Republic, France was ruled by a King, China and Japan by an Emperor, Russia by a Czar and Great Britain had only the barest beginnings of a democracy. All of these proud regimes and scores of others have long since passed into history, and among the world's powers, the only government that stands essentially unchanged is the Federal Union put together in the 1780's by 13 states on the east coast of North America."

Preserving and enhancing this Union must be the enduring goal of our Foreign Policy. We must be sure the instruments of foreign policy do not betray it. Re-establishing the accountability of our intelligence community and our President to the people is essential to the continued well-being of the American republic.